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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,702	07/14/2003	James Baich	87359.1960	3730

7590 05/28/2004

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EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/617,702

Applicant(s)

BAICH ET AL.

Examin r

David E. Bochna

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the following informalities:

Line 4, it appears that "side" should be "slide". Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claims 1, 10, 16 and 17 are objected to because of the following informalities:

Claim 1, line 7, it appears that "side" should be "slide".

Claim 10 recites the limitation "first housing" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "housing means" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims 1, 7, 9, 11 and 16 and are rejected under 35 U.S.C. 102(e) as being anticipated by Rubin et al.

In regard to claim 1, Rubin et al. discloses (fig. 3) a slip joint adaptor comprising;
a housing 36;
a first chamber 42 contained within the housing and configured to allow a pipe to slide through it;
a second chamber (space between slanted interior portion and threads 48) contained within the housing and configured to allow an end of a pipe to slide through it; and
a third chamber 46 contained within the housing and configured to attach to an end of a second pipe 18.

In regard to claim 7, further comprising a tapered portion located between the first and second chambers.

In regard to claim 9, further comprising:

a pipe 26 extending through the first chamber in a slidable fashion and having an end in the second chamber; and

a shoulder 58 having a diameter greater than a diameter associated with the first chamber, the shoulder mounted on a portion of the pipe located outside the housing 36 and located on the pipe to but against the housing and prevent the end of the pipe from extending into the third chamber.

In regard to claim 11, Rubin et al. discloses a slip joint adaptor comprising:

means 36 for housing a pipe 26 configured to allow an end of a first pipe to slide through it;

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means 62 for limiting sliding motion of the first pipe so that the first pipe does not slide out of the housing means; and

means (threads) for attaching to an end of a second pipe.

In regard to claim 16, a pipe extending through the housing means; and

A stop 58 located on the pipe and located on the pipe to prevent the end of the pipe from extending into the housing means farther than a predetermined distance.

5. Claims 1-6, 8, 10-15 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Parker.

In regard to claim 1, Parker discloses a slip joint adaptor comprising;

a housing 9;

a first chamber 15 contained within the housing and configured to allow a pipe to slide through it;

a second chamber (space which accepts 16) contained within the housing and configured to allow an end of a pipe to side through it; and

a third chamber (threaded section) contained within the housing and configured to attach to an end of a second pipe 6.

In regard to claim 2, the first, second and third chambers are substantially coaxial.

In regard to claim 3, wherein the housing has a substantially hexagonal outer cross-section 9.

In regard to claim 4, wherein the third chamber has threads for attaching to an end of a second pipe.

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In regard to claim 5, further comprising at least one annular groove 19 in the first chamber configured to house an O-ring gasket 20.

In regard to claim 6, further comprising:

a pipe 13 extending through the first chamber in a slidable fashion and having an end in the an O ring gasket in the at least one groove the O ring gasket having an inner diameter less than an outer diameter of the pipe, and the O ring gasket having an outer diameter greater than the diameter of the groove.

In regard to claim 8, further comprising a pipe 13 extending through the first chamber in a slidable fashion and terminating with a flared end 14 in the second portion, the flared portion having a diameter sufficient to prevent the pipe end from sliding through the first chamber.

In regard to claim 10, further comprising:

a pipe extending through the first chamber in a slidable fashion and having an end in the second chamber; and

a seal 20 located between the pipe and the housing substantially sealing the second chamber from the outside of the housing via the first housing.

In regard to claim 11, Parker discloses a slip joint adaptor comprising:

means for housing a pipe configured to allow an end of a first pipe to slide through it;

means 14 for limiting sliding motion of the first pipe so that the first pipe does not slide out of the housing means; and

means (threads) for attaching to an end of a second pipe.

In regard to claim 12, wherein the attaching means has a substantially hexagonal outer cross-section 9.

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In regard to claim 13, attaching means has threads for attaching to an end of a second pipe.

In regard to claim 14, further comprising at least one seal 20 containing means in the means for housing.

In regard to claim 15, further comprising a pipe 13 extending through the housing means in a slidable fashion and terminating with a flared end 14 configured to prevent the flared end from sliding out of the housing means.

In regard to claim 17, further comprising:

a pipe extending through the housing means; and

means 20 for sealing the pipe into the housing means.

6. Claims 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Berger et al.

In regard to claim 18, Berger et al. discloses a method of attaching two pipe ends comprising:

sliding a first pipe 32 through a slip joint adapter;

positioning the slip joint adapter 16 to the desired location on the first pipe;

providing a stop 34 on the first pipe that blocks the first pipe from sliding into the slip joint adapter farther than a predetermined distance; and

attaching the slip joint adapter to an end of a second pipe 14.

In regard to claim 19, further comprising sealing (via 104) the first pipe with the slip joint adapter.

In regard to claim 20, further comprising flaring the end of the first pipe 64.

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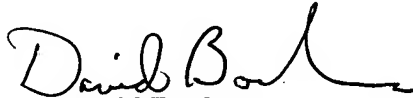
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Coogle, Aitken, White, Shurtleff, Faeser, Hume, Young, Hampe et al., and Goodall all disclose similar couplings common in the art.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.


David Bochna
Primary Examiner
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May 25, 2004